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Tabled: April 19, 1973
Resubmitted: May 10, 1973

M E M O R A N D U M

: BOSTON REDEVELOPMENT AUTHORITY

FROM: ROBERT T. KENNEY, DIRECTOR

SUBJECT: GOVERNMENT CENTER PROJECT MASS. R-35
CITY HALL PLAZA STAGE 2 PHASE 1A

In the Agreement between Contractor and Owner to build City Hall Plaza Stage 2 Phase 1A the contractor agreed to substantially complete the work within 303 consecutive calendar days from the date of commencement of the work after receiving his "Notice to Proceed". The date for time of completion is figured to be January 24, 1973.

Article 3, Liquidated Damages, also a part of the Agreement, states "It is understood and agreed that for every calendar day the entire completion of the contract is delayed, the Authority will deduct from the final payment to the Contractor the sum of two hundred dollars and no cents (\$200.00) as liquidated damages and not as a penalty".

It has just come to my attention that the terms of the contract as quoted above calls for the deduction of liquidated damages to be made at the time of final payment. As we are not authorized by the terms of the contract to deduct the liquidated damages at this time, I recommend the Authority approve payment of \$46,785.41 as requested.

VOTED: That the Authority approves attached Payment Request No. 8 to the D. Federico Co., Inc. for an amount of \$46,785.41 under an agreement with the Authority dated March 22, 1972 respecting Construction of City Hall Plaza Stage 2, Phase 1A.

RECEIVED

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PROJECT: Government Center R-35

DATE: May 10, 1973

CONTRACT PAYMENT

CONTRACTOR: D. Federico Co., Inc.

DATE OF CONTRACT: March 22, 1972

SERVICES: Construction of City Hall Plaza
Stage 2 Phase 1A

CONTRACT AMOUNT: \$ 1,436,587.00
Change Order No. 1 52,306.00
\$ 1,488,893.00

PAYMENTS TO DATE: \$ 961,031.30

PAYMENT REQUESTED: Request No. 8 \$ 46,785.41

STATUS OF WORK: 70% complete.

REMARKS: Payment is requested.

D. Federico Company, Inc.

P. O. BOX 518

GENERAL CONTRACTORS

TEL. 583-3441 OR 843-3315

OFF NEW POND STREET
AVON, MASSACHUSETTS 02322

Boston Redevelopment Authority
City Hall - Room 919
Boston, Massachusetts 02201

Date: April 11, 1973

Attention: Engineering Department

Gentlemen:

Subject: Government Center Project
Mass. R - 35

Basic Contract Dated March 22, 1972

Payment Req. 8

Contract Breakdown

\$ 1,436,587.00 Original Contract

\$ 52,306.00 Change Order # 1

\$ _____

TOTAL \$ 1,488,893.00

5% Retainage

Less Total Amount of Previous Payments

AMOUNT DUE AS REQUEST NO. 8

Completed to Date

~~1,059,059.70~~
\$ ~~1,064,059.70~~

~~1,800.00~~
\$ ~~26,800.00~~

\$ _____

\$ ⁶1,080,859.70

\$ ~~53,042.99~~
~~54,512.98~~

\$ 961,031.30

\$ ~~46,785.41~~
~~72,285.12~~

D. FEDERICO CO., INC.

Payment Approved by the Authority

Date: _____

By: _____
Administrator for Staff Services

I hereby certify that all work for which payment is requested herein has been performed and is in accordance with the requirements of the contract.

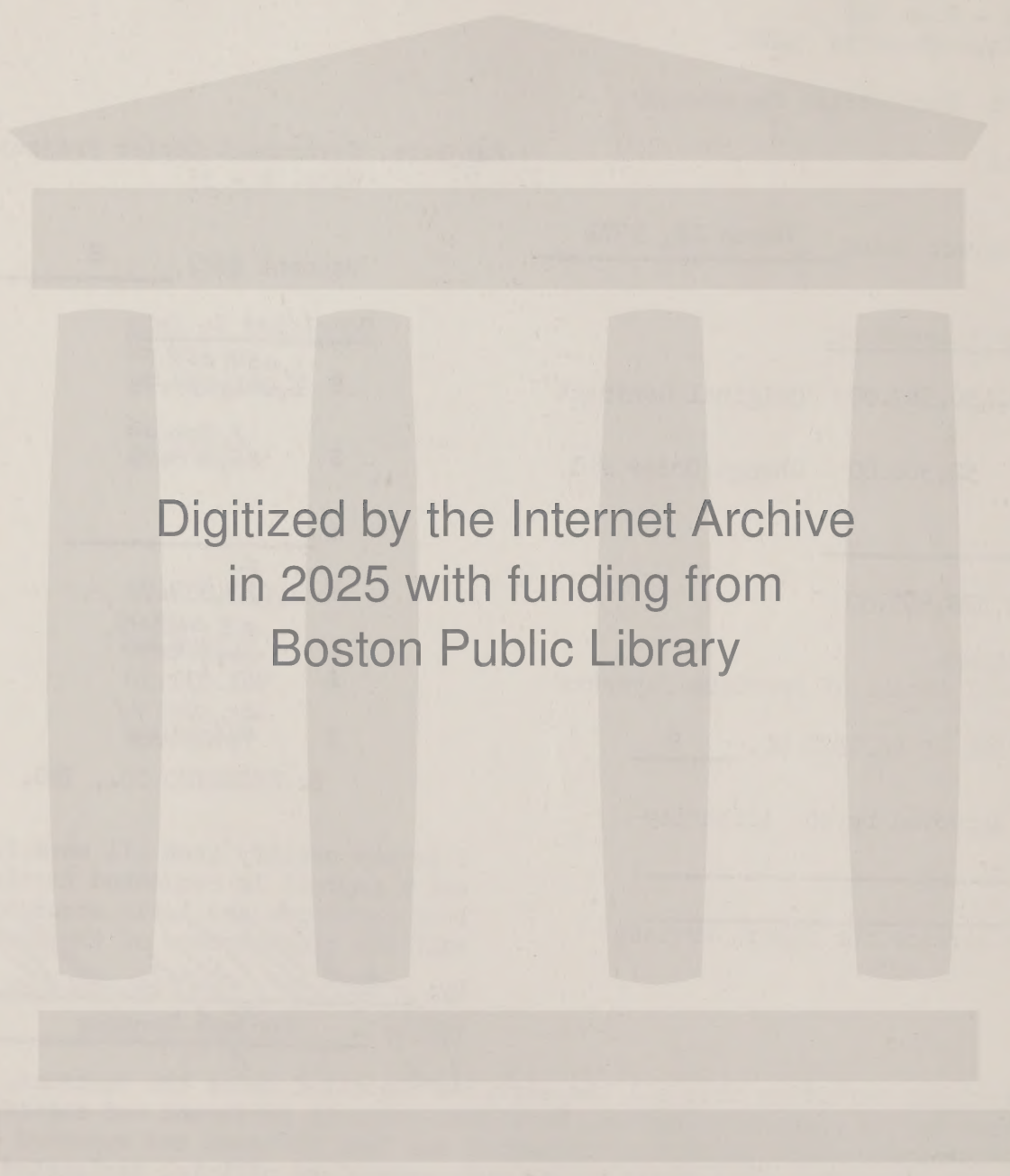
By: Wallace B. Orpin

Title: - Project Manager

The undersigned certifies that all the services requested under the contract, which are covered by the payment requested, have been properly performed and submitted; that submittal for which payment is requested has been reviewed and approved as satisfactory; that the undersigned is the duly authorized official designated to certify the invoice; that payment is therefore recommended.

John D. Hunt
Project Engineer

Wallace B. Orpin
Wallace B. Orpin, P.E.
Director of Engineering



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APPLICATION AND CERTIFICATE FOR PAYMENT

AIA DOCUMENT G702

PAGE ONE OF 2 PAGES

PROJECT: City Hall Plaza
(name, address) Stage 2 Phase 1A

TO (Owner) Boston Redevelopment Authority

ATTN:

CHANGE ORDER SUMMARY

Change Orders approved in previous months by Owner —		ADDITIONS \$	DEDUCTIONS \$
TOTAL			
Subsequent Change Orders			
Number	Approved (date)		
1	2/73	52,306.00	

TOTALS 52,306.00 + 52,306.00
Net change by Change Orders \$ 52,306.00

State of: County of:

The undersigned Contractor certifies that the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by him for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that the current payment shown herein is now due.

Contractor: D. Federico Co. Inc.

By: *[Signature]* Date: April 11, 1973

In accordance with the Contract and this Application for Payment the Contractor is entitled to payment in the amount shown above.
Architect: Kalman, McKinnell & Knowles

By:

This Certificate is not negotiable. It is payable only to the payee named herein and its issuance, payment and acceptance are without prejudice to any rights of the Owner or Contractor under their Contract.

ARCHITECT: Kalman, McKinnell & Knowles

ARCHITECT'S PROJECT NO: City Hall Plaza, Stage 2, Phase 1A

CONTRACTOR: D. Federico Co. Inc.

CONTRACT FOR: City Hall Plaza, Stage 2, Phase 1A

APPLICATION DATE: April 11, 1973 APPLICATION NO: 8

PERIOD FROM: 1/21/73 TO 4/11/73

Application is made for Payment, as shown below, in connection with the Contract. Continuation Sheet, AIA Document G702A, is attached.

The present status of the account for this Contract is as follows:

ORIGINAL CONTRACT SUM\$ 1,436,587.00

Net change by Change Orders\$ 52,306.00

CONTRACT SUM TO DATE\$ 1,488,893.00

TOTAL COMPLETED & STORED TO DATE\$ 1,090,859.70
(Column G on G702A) 53,042.99

RETAINAGE 5%\$ 54,542.98

or as noted in Column I on G702A 1,077,816.71

TOTAL EARNED LESS RETAINAGE\$ 1,036,316.72

LESS PREVIOUS CERTIFICATES FOR PAYMENT\$ 961,031.30

CURRENT PAYMENT DUE\$ 46,785.42

Subscribed and sworn to before me this _____ day of _____, 19____

Notary Public:

My Commission expires:

- ☐ OWNER
☐ ARCHITECT
☐ CONTRACTOR

AIA Document G702, APPLICATION AND CERTIFICATE FOR PAYMENT, containing CONTRACTOR'S signed Certification is attached.

In tabulations below, amounts are stated to the nearest dollar.

Use Column I on Contracts where variable retainage for line items may apply.

APPLICATION NUMBER: 8

ARCHITECT'S PROJECT NO: R - 35

ITEM No. A	DESCRIPTION OF WORK B	SCHEDULED VALUE C	WORK COMPLETED		STORED MATERIALS F	TOTAL COMPLETED STORED TO DATE G(D+E+F)	BALANCE AND		RETAINAGE I
			Previous Applications D	This Application E			%	TO FINISH H(G-I)	
1.	Bond	15,000.00	15,000.00			15,000.00	100	-	750.00
2.	Demolition	142,000.00	142,000.00			142,000.00	100	-	7,100.00
3.	Test Boring	6,000.00	6,000.00			6,000.00	100	-	300.00
4.	Excav. & Backfill	101,000.00	92,920.00	3,030.00		95,950.00	95	5,050.00	4,797.50
5.	Piles	60,000.00	60,000.00			60,000.00	100	-	3,000.00
6.	Concrete	295,000.00	271,400.00	8,850.00		280,250.00	95	14,750.00	14,012.50
7.	Masonry	361,250.00	72,250.50	7,749.50		80,000.00	22	281,250.00	4,000.00
8.	Plumbing	42,176.00	33,740.80	3,128.30		33,740.80	80	8,435.20	1,687.04
9.	Electrical	31,283.00	25,026.40	1,024.00		28,154.70	90	3,128.30	1,407.73
10.	Pavement	10,237.00	9,213.00			10,237.00	100	-	511.85
11.	Struct. Steel	235,000.00	235,000.00			235,000.00	100	-	11,750.00
12.	Steel Deck	20,000.00	20,000.00			20,000.00	100	-	1,000.00
13.	Fireproofing	20,000.00		14,000.00 9,666.00		19,000.00	95	1,000.00	950.00
14.	Misc. Metals	26,665.00	11,666.00			21,332.00	80	5,333.00	1,066.60
15.	Damp. & Waterproofing	27,976.00	7,595.20			7,595.20	27	20,380.80	379.76
16.	Precast Conc.	5,000.00				-		5,000.00	
17.	Loaming & Planting	20,000.00	7,100.00			7,100.00	30	12,900.00	355.00
18.	Arch. Bronze	15,000.00				-		15,000.00	
19.	Temp. Facil.	3,000.00	2,700.00			2,700.00	90	300.00	135.00
C.O. 1	Change Order # 1	52,306.00		26,800.00	1800.00	26,800.00	51	25,506.00	1,340.00
					1800.00	1800.00		30,506.00	90.00
	SUB TOTAL OR TOTAL	1,488,893.00	1,011,611.90	79,247.80		1,090,859.70	73	398,033.30	54,542.98

April 19, 1973

TO: BOSTON REDEVELOPMENT AUTHORITY
FROM: ROBERT T. KENNEY, DIRECTOR

SUBJECT: GOVERNMENT CENTER PROJECT MASS. R-35
CITY HALL PLAZA STAGE 2 PHASE 1A

In the Agreement between Contractor and Owner to build City Hall Plaza Stage 2 Phase 1A the contractor agreed to substantially complete the work within 303 consecutive calendar days from the date of commencement of the work after receiving his "Notice to Proceed". The date for time of completion is figured to be January 24, 1973.

Article 3, Liquidated Damages, also a part of the Agreement, states "It is understood and agreed that for every calendar day the entire completion of the contract is delayed, the Authority will deduct from the final payment to the Contractor the sum of two hundred dollars and no cents (\$200.00) as liquidated damages and not as a penalty."

Because the accompanying payment request No. 8 covers a period of work between January 21, 1973 and April 11, 1973 there has been deducted an allowance for liquidated damages of \$15,400.00 to cover the calendar days between January 24, 1973 and April 11, 1973. This money to be held in the retainage account until final payment is made upon completion of the job.

It is requested that the Authority approve this type of deduction on all payment requests made by D. Federico Co., Inc. until final completion of the job is approved.

An appropriate vote is attached.

Attachment:

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GOVERNMENT DOCUMENTS DEPARTMENT

VOTED: That the Authority approves attached Payment Request #8 to the D. Federico Co., Inc. for an amount of \$31,385.41 under an agreement with the Authority dated March 22, 1972 respecting Construction of City Hall Plaza Stage 2, Phase IA. It is understood that such approved payment request includes a sum of \$15,400 deducted by Authority from Contractor's requested amount for liquidated damages for delay in completion of such work.

Furthermore, the Authority hereby approves continued similar type deductions from Contractor's subsequent billings hereunder until such time as final payment is to be made for such work.

Attachments:

PROJECT: Government Center R-35

DATE: April 19, 1973

CONTRACT PAYMENT

CONTRACTOR: D. Federico Co., Inc.

DATE OF CONTRACT: March 22, 1972

SERVICES: Construction of City Hall Plaza
Stage 2 Phase 1A

CONTRACT AMOUNT:	\$ 1,064,059.70
Change Order No. 1	<u>52,306.00</u>
	\$ 1,064,059.70

PAYMENTS TO DATE: \$ 961,031.30

PAYMENT REQUESTED: \$ 31,385.41

STATUS OF WORK: 70% complete.

REMARKS: Payment is requested.

D. Federico Company, Inc.

P. O. BOX 518

GENERAL CONTRACTORS

TEL. 583-3441 OR 843-3315

OFF NEW POND STREET
AVON, MASSACHUSETTS 02322

Boston Redevelopment Authority
City Hall - Room 919
Boston, Massachusetts 02201

Date: April 11, 1973

Attention: Engineering Department

Gentlemen:

Subject: Government Center Project
Mass. R - 35

Basic Contract Dated March 22, 1972

Payment Req. 8

Contract Breakdown

\$ 1,436,587.00 Original Contract

\$ 52,306.00 Change Order # 1

\$ _____

TOTAL \$ 1,488,893.00

5% Retainage

Less Total Amount of Previous Payments

Less Allowance for Ltg. Damages

AMOUNT DUE AS REQUEST NO. 8

Completed to Date

1,059,059.70
\$ ~~1,064,059.70~~

1,800.00
\$ ~~26,800.00~~

\$ _____

6
\$ ~~1,080,859.70~~

53,042.99
\$ ~~54,542.98~~

\$ 961,031.30
15,400.00

\$ ~~92,285.12~~
31,385.41

D. FEDERICO CO., INC.

Payment Approved by the Authority

Date: _____

By: _____
Administrator for Staff Services

I hereby certify that all work for which payment is requested herein has been performed and is in accordance with the requirements of the contract.

By: Wallace B. Orpin

Title: - Project Manager

The undersigned certifies that all the services requested under the contract, which are covered by the payment requested, have been properly performed and submitted; that submittal for which payment is requested has been reviewed and approved as satisfactory; that the undersigned is the duly authorized official designated to certify the invoice; that payment is therefore recommended.

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ENGINEERING

GOVERNMENT AUTHORITY

John T. Hunt
Project Engineer

APR 13 1973

Wallace B. Orpin
Wallace B. Orpin, P.E.
Director of Engineering

APPLICATION AND CERTIFICATE FOR PAYMENT

AIA DOCUMENT G702

PAGE ONE OF 2 PAGES

PROJECT: City Hall Plaza
(name, address) Stage 2 Phase 1A

TO (Owner) Boston Redevelopment Authority

ATTN:

CHANGE ORDER SUMMARY

Change Orders approved in previous months by Owner —		ADDITIONS \$	DEDUCTIONS \$
TOTAL			
Subsequent Change Orders	Number	Approved (date)	
1	2/73	52,306.00	

TOTALS 52,306.00 + 52,306.00
Net change by Change Orders \$

State of: County of:

The undersigned Contractor certifies that the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by him for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that the current payment shown herein is now due.

Contractor: D. Federico Co. Inc.

By: *[Signature]* Date: April 11, 1973

In accordance with the Contract and this Application for Payment the Contractor is entitled to payment in the amount shown above.
Architect: Kallman, McKinnell & Knowles

By:

Henry A. Wood

This Certificate is not negotiable. It is payable only to the payee named herein and its issuance, payment and acceptance are without prejudice to any rights of the Owner or Contractor under their Contract.

AIA DOCUMENT G702 • APPLICATION AND CERTIFICATE FOR PAYMENT • MARCH 1971 EDITION • AIA®
© 1971 • THE AMERICAN INSTITUTE OF ARCHITECTS, 1735 NEW YORK AVE., N.W., WASHINGTON, D. C. 20006

ARCHITECT: Kallman, McKinnell & Knowles
ARCHITECT'S PROJECT NO: City Hall Plaza, Stage 2, Phase 1A

CONTRACTOR: D. Federico Co. Inc.

CONTRACT FOR: City Hall Plaza, Stage 2, Phase 1A

APPLICATION DATE: April 11, 1973 APPLICATION NO: 8

PERIOD FROM: 1/21/73 TO 4/11/73

Application is made for Payment, as shown below, in connection with the Contract Continuation Sheet, AIA Document G702A, is attached.
The present status of the account for this Contract is as follows:

ORIGINAL CONTRACT SUM\$ 1,436,587.00

Net change by Change Orders\$ 52,306.00

CONTRACT SUM TO DATE\$ 1,488,893.00

TOTAL COMPLETED & STORED TO DATE\$ 1,090,859.70
(Column G on G702A)

RETAINAGE 5%\$ 74,425.42
or as noted in Column I on G702A
TOTAL EARNED LESS RETAINAGE\$ 1,036,316.72

LESS PREVIOUS CERTIFICATES FOR PAYMENT\$ 961,031.30
Less Allowance for 414 Damages
CURRENT PAYMENT DUE\$ 72,285.42
15,400.00
31,385.41

Subscribed and sworn to before me this day of , 19
Notary Public:
My Commission expires:

☐ OWNER
☐ ARCHITECT
☐ CONTRACTOR

AIA Document G702, APPLICATION AND CERTIFICATE FOR PAYMENT, containing CONTRACTORS' signed Certification is attached.

In tabulations below, amounts are stated to the nearest dollar.

Use Column I on Contracts where variable retainage for line items may apply.

APPLICATION NUMBER: 8

ARCHITECT'S PROJECT NO: R - 35

ITEM No. A	DESCRIPTION OF WORK B	SCHEDULED VALUE C	WORK COMPLETED		STORED MATERIALS F	TOTAL COMPLETED AND STORED TO DATE G(D+E+F)	BALANCE TO FINISH H(C-G)		RETAINAGE I
			Previous Applications D	This Application E			%		
1.	Bond	15,000.00	15,000.00			15,000.00	100	-	750.00
2.	Demolition	142,000.00	142,000.00			142,000.00	100	-	7,100.00
3.	Test Boring	6,000.00	6,000.00			6,000.00	100	-	300.00
4.	Excav. & Backfill	101,000.00	92,920.00	3,030.00		95,950.00	95	5,050.00	4,797.50
5.	Piles	60,000.00	60,000.00			60,000.00	100	-	3,000.00
6.	Concrete	295,000.00	271,400.00	8,850.00		280,250.00	95	14,750.00	14,012.50
7.	Masonry	361,250.00	72,250.50	7,749.50		80,000.00	22	281,250.00	4,000.00
8.	Plumbing	42,176.00	33,740.80	3,128.30		33,740.80	80	8,435.20	1,687.04
9.	Electrical	31,283.00	25,026.40	3,128.30		28,154.70	90	3,128.30	1,407.73
10.	Pavement	10,237.00	9,213.00	1,024.00		10,237.00	100	-	511.85
11.	Struct. Steel	235,000.00	235,000.00			235,000.00	100	-	11,750.00
12.	Steel Deck	20,000.00	20,000.00			20,000.00	100	-	1,000.00
13.	Fireproofing	20,000.00		14,000.00 9,666.00		19,000.00	95	1,000.00	950.00
14.	Misc. Metals	26,665.00	11,666.00			21,332.00	80	5,333.00	1,066.60
15.	Damp. & Waterproofing	27,976.00	7,595.20			7,595.20	27	20,380.80	379.76
16.	Precast Conc.	5,000.00				-		5,000.00	
17.	Loaming & Planting	20,000.00	7,100.00			7,100.00	30	12,900.00	355.00
18.	Arch. Bronze	15,000.00				-		15,000.00	
19.	Temp. Facil.	3,000.00	2,700.00			2,700.00	90	300.00	135.00
C.O.1	Change Order # 1	52,306.00		26,800.00	1800.00	26,800.00	51	25,506.00	1,340.00
						1800.00		50,506.00	
	SUB TOTAL OR TOTAL	1,488,893.00	1,011,611.90	79,247.80		1,090,859.70	73	398,033.30	54,542.98

